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In re Application of:  
MCKAY, John, Allen : DECISION ON PETITION  
U.S. Application No.: 10/569,474 :  
PCT No.: PCT/CA2004/001580 :  
International Filing Date: 27 August 2004 :  
Priority Date: 27 August 2003 :  
Atty Docket No.: 6.30.3260 PCT/CA-US :  
For: PACKAGING MACHINE :

The petition for revival under 37 CFR 1.137(b) filed 23 August 2007 in the above-captioned application is hereby **GRANTED** as follows:

Applicant's statement that "the entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional" satisfies the requirements of 37 CFR 1.137(b)(3).

Applicant has submitted the petition fee and the required reply, that is, a proper response to the Notification of Missing Requirements (Form PCT/DO/EO/905) mailed 05 September 2006 in the form of an executed declaration in compliance with 37 CFR 1.497 and the surcharge for filing the declaration later than thirty months after the priority date. The requirements of 37 CFR 1.137(b) have been satisfied. Therefore, the request to revive the application is granted as to the national stage in the United States of America.

This application is being referred to the National Stage Processing Division of the Office of PCT Operations for further processing in accordance with this decision. The date under 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) is 23 August 2007.

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